

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID LYONS-BEY,

Plaintiff,

Case No. 12-15219

v.

ANTHONY WICKERSHAM, et al.,

Hon. John Corbett O'Meara
Hon. Mark A. Randon

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the court is Magistrate Judge Mark A. Randon's August 29, 2013 report recommending that Defendants' July 24, 2013 motion to revoke Plaintiff's *in forma pauperis* status be granted. Plaintiff filed a response to Defendants' motion on August 29, 2013. On September 16, 2013 Plaintiff filed objections to the report and recommendation.

This court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." *Id.* Having thoroughly reviewed the record, the court finds that Magistrate Judge Randon reached the correct conclusion. Accordingly, the court will overrule Plaintiff's objections.

IT IS HEREBY ORDERED that Magistrate Judge Randon's August 29, 2013 report and recommendation is ADOPTED.

IT IS FURTHER ORDERED that Defendants' motion to revoke Plaintiff's *in forma*

pauperis status is GRANTED, and Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE. Plaintiff may re-file his complaint if he pays the full filing fee.

s/John Corbett O'Meara
United States District Judge

Date: September 26, 2013

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, September 26, 2013, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager